

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN THE MATTER OF

TERRANCE L HUDSON
MONIQUE R HUDSON,

DEBTORS

IN PROCEEDINGS
UNDER CHAPTER 13

NO. 19-32669
JUDGE: Goldgar,

OBJECTION TO CONFIRMATION OF THE PLAN

NOW COMES MidFirst Bank, by and through its attorneys, Shapiro Kreisman & Associates, LLC, and states as follows:

1. The Debtors filed a Chapter 13 Petition and a plan on November 15, 2019.
2. The Movant holds a note (or services a loan) secured by a mortgage on the Debtors' residence, commonly known as: 591 Maple Ln, Elk Grove Village, IL 60007 dated May 1, 2018.
3. Pursuant to 11 USC 1322(b)(2) and 11 USC 1322(b)5), the Debtors may not modify the Movant's rights under the terms of the loan documents. Among those rights is the right to receive payment of all sums that were due and owing at the time the case was filed.
4. The loan was in default in the amount of \$17,631.67 when the Debtors filed the case.
5. Notwithstanding the foregoing, the plan fails to provide for the payment of any pre-petition mortgage arrearages, thereby attempting to impermissibly modify the Movant's rights.
6. Pursuant to 11 USC 1322(d), the Court may not confirm any plan that will require longer than 60 months to complete.
7. If the Chapter 13 Trustee were to pay the Movant the mortgage arrearages that are due it, the plan would require in excess of 60 months to enable the Trustee to do that.
8. As set forth above, the plan is unconfirmable as a matter of law.

WHEREFORE, MidFirst Bank prays that confirmation of the plan be denied and for such other relief as the Court deems just.

Respectfully submitted,

/s/ Richard B. Aronow
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The firm of Shapiro Kreisman & Associates, LLC is a debt collector. This is an attempt to collect a debt. Any information may be used for that purpose. If your personal liability for this debt has been extinguished, discharged in bankruptcy or if a court order prohibits collecting this debt from you personally, then this is an attempt to enforce the Movant's rights with respect to the property addressed herein, and it is not an attempt to collect the debt from you personally.